

Art Unit 2616
Serial No.09/671,761

Reply to Office Action of 06/07/2005
Attorney Docket No.: K35A0657

REMARKS

The Applicants thank the Examiner for her careful and thoughtful examination of the present application. By way of summary, Claims 1-16 were pending in this application. In this response, the Applicants have amended Claims 1 and 12. Accordingly, Claims 1-16 remain pending for consideration.

Rejection Under 35 U.S.C. 102(b)

The Examiner rejected Claims 1-16 as anticipated by U.S. Patent No. 5,758,259 (Lawler). The Applicants respectfully traverse this rejection because the Lawler reference fails to teach every step and limitation of the pending claims.

For example, independent Claim 1 has been amended for the purposes of clarification; it now recites, *inter alia*, "recording first video data associated with a first plurality of display contents using a preference engine to select the display content; [and] selectively recording second video data associated with a second plurality of display contents upon a viewer selecting the display content." The Lawler reference does not disclose these steps.

The Examiner has cited Column 5, lines 51-65 of Lawler as allegedly disclosing "recording first video data associated with a first plurality of display contents using a preference engine to select the display content." However, this passage of Lawler merely discloses that a viewing history for a viewer may be stored in a viewer preferences database. Although Lawler does disclose storing characteristics of previous programming viewed by a user to extract a user's viewing habits, Lawler does not disclose recording first video data associated with a first plurality of display contents using a preference engine to select the display content.

The Examiner has also cited Column 4, lines 45-49 of Lawler as allegedly disclosing "selectively recording second video data associated with a second plurality of display contents upon a viewer selecting the display content." This passage teaches that a user may cause a guide to display programming data for a particular date and time, but does not suggest selectively recording second video data. Thus, Lawler

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neither suggests nor discloses selectively recording second video data associated with a second plurality of display contents upon a viewer selecting the display content.

Independent Claim 12 has also been amended for the purposes of clarification; it now recites, *inter alia*, a "storage device configured to record first video data associated with a first plurality of display contents according to the viewer profile and to record second video data associated with a second plurality of display contents upon a viewer selecting the display content." The Lawler reference does not disclose such a device.

As discussed above with reference to Claim 1, Lawler does not disclose or suggest to record first video data associated with a first plurality of display contents according to the viewer profile nor to record second video data associated with a second plurality of display contents upon a viewer selecting the display content. Similarly, Lawler does not disclose a storage device configured to perform these functions. While the Examiner highlights the central node 12 disclosed by Lawler as corresponding to the storage device, the central control node is not "configured to record first video data associated with a first plurality of display contents according to the viewer profile and to record second video data associated with a second plurality of display contents upon a viewer selecting the display content."

For at least these reasons, Applicants respectfully submit that the pending independent claims, as amended, each incorporate at least one limitation that is not taught or suggested by the prior art, and request that the rejections be withdrawn.

Dependent claims 2-11 and 13-16 are dependent upon allowable independent claims and are therefore patentable for at least the reasons given above.

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CONCLUSION

In view of the foregoing remarks, Applicants respectfully submit that the pending claims are now in condition for allowance and request reconsideration of the rejections. If it is believed that a telephone conversation would expedite the prosecution of the present application, or clarify matters with regard to its allowance, the Examiner is invited to contact the undersigned attorney at the number listed below.

The Commissioner is hereby authorized to charge payment of any required fees associated with this Communication or credit any overpayment to Deposit Account No. 23-1209.

Respectfully submitted,

Date: September 7, 2005

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